

1
2
3
4 IN THE UNITED STATES DISTRICT COURT
5 FOR THE NORTHERN DISTRICT OF CALIFORNIA

6 UNITED STATES OF AMERICA,
7
8 Plaintiff,

9 vs.

10 CHAD NEUMANN,
11 Defendant.

)
) No. CR 10-0862 MMC
)

) STIPULATION AND ~~PROPOSED~~
) ORDER CONTINUING HEARING
) AND EXCLUDING TIME
)

12 **STIPULATION**

13 The above-captioned matter was previously set for September 14, 2011 for change of plea or
14 trial setting. In advance of the hearing, the Court ordered a pre-plea report, at the defendant's
15 request. After reviewing the report, the defense has discovered that supporting documents for the
16 criminal history information presented in the report are not yet in the custody of the Probation
17 Department. In order to assure the accuracy of the report, such documents are necessary and have
18 been requested. The United States has no objection to that request.

19 Accordingly, the parties request that the Court continue the hearing in the above-captioned
20 matter from September 14, 2011 until October 26, 2011 at 2:30 p.m. The extent of the delay also
21 takes into account absence of counsel from the jurisdiction during a portion of that time.

22 For the foregoing reasons, the parties agree to the stated continuance and request that, in
23 computing the time in which the matter must be brought to trial under the Speedy Trial Act, the time
24 be excluded, based upon the need for effective preparation.

25 //

26 STIP & ORDER CONTINUING
HEARING & EXCLUDING TIME
United States v. Chad Neumann
CR 10-0862 MMC

1 It is so stipulated.

2
3 DATED: 9/12/2011

/s/
RONALD TYLER
Assistant Federal Public Defender
Counsel for Chad Neumann

5
6 DATED: 9/12/2011

/s/
DEREK OWENS
Assistant United States Attorney

8 **ORDER**

9 The Court finds as follows:

10 The ends of justice are served by granting the requested continuance, given that failure to do so
11 would deny counsel for the defendant the reasonable time necessary for effective preparation, taking
12 into account the exercise of due diligence.

13 The aforementioned ends of justice outweigh the best interest of the public and the defendant
14 in a speedy trial.

15 Accordingly, this matter is continued until October 26, 2011 at 2:30 p.m. Pursuant to the
16 Speedy Trial Act, Title 18 United States Code §§3161(h)(7)(A) and 3161(h)(7)(B)(iv), the period
17 from September 14, 2011 until October 26, 2011 is excluded in computing the time within which
18 trial must commence.

19 IT IS SO ORDERED.

20
21 DATED: September 13, 2011


THE HON. MAXINE M. CHESNEY
UNITED STATES DISTRICT COURT JUDGE

22
23
24
25
26 STIP & ORDER CONTINUING
HEARING & EXCLUDING TIME
United States v. Chad Neumann
CR 10-0862 MMC